

# Regional Planning Commission Transmittal Checklist

Hearing Date

07/16/2014

Agenda Item No.

7

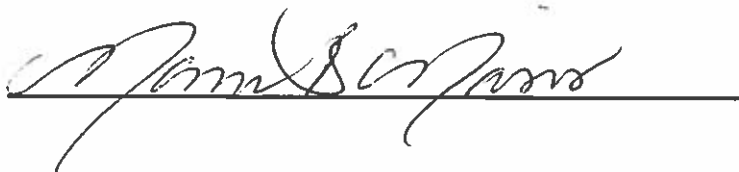
Project Number: R2013-01635

Case(s): Conditional Use Permit Case No. 201300133

Planner: Michele Bush

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☒ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By:





Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**PROJECT NUMBER**      **HEARING DATE**  
R2013-01635-(1)      07/16/2014

**REQUESTED ENTITLEMENTS**  
Conditional Use Permit No. 201300133

## PROJECT SUMMARY

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**OWNER / APPLICANT**

Multiple / Erwin Bucy, Paragon Comm. Group

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**MAP/EXHIBIT DATE**

01/07/14

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**PROJECT OVERVIEW**

The project is a request for a Conditional Use Permit to authorize (package store) the sale of beer, wine and distilled spirits for off-site consumption (Type 21 Off-Sale General) at a proposed CVS store (approved under separate permit – RPP 201300594).

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**LOCATION**

3601-3627 Cesar E. Chavez Avenue &  
420 Rowan Avenue, Unincorporated East Los  
Angeles

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**ACCESS**

East Cesar Chavez Avenue, N. Rowan Avenue &  
Dozier Street

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**ASSESSORS PARCEL NUMBER(S)**

5232-027-013, 5232-027-023, 024, 025 & 026

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**SITE AREA**

0.93 Acres

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**GENERAL PLAN / LOCAL PLAN**

East Los Angeles Community Plan

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**ZONED DISTRICT**

East Los Angeles

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**LAND USE DESIGNATION**

CC-Community Commercial

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**ZONE**

R-2 (Two-Family Residence) & C-3 (Unlimited  
Commercial)

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**PROPOSED UNITS**

N/A

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**MAX DENSITY/UNITS**

N/A

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**COMMUNITY STANDARDS DISTRICT**

East Los Angeles

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**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

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**KEY ISSUES**

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**CASE PLANNER:**

Michele Bush

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**PHONE NUMBER:**

(213) 974 - 6435

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**E-MAIL ADDRESS:**

mbush@planning.lacounty.gov



### **ENTITLEMENTS REQUESTED**

Conditional Use Permit (CUP) for the sale of beer, wine and distilled spirits for off-site consumption (Type 21 Off-Sale General) at a proposed CVS pharmacy store pursuant to County Code Sections 22.28.210 and 22.56.195.

### **PROJECT DESCRIPTION**

The project is a request to authorize the sale of beer, wine and distilled spirits for off-site consumption at a proposed CVS store (approved under separate permit – RPP 201300594).

### **SITE PLAN DESCRIPTION**

The site plan for the Project depicts the 0.93 acre site with a new 14,250-square-foot CVS pharmacy structure, with required parking (57 spaces). Two driveways are depicted, along E. Cesar Chavez Avenue and N. Rowan Avenue, for ingress and egress. An additional driveway is depicted along Dozier Street, for egress only. The plan includes the shelf plan for the proposed sale of beer, wine and distilled spirits for off-site consumption. The shelf space does not exceed five percent of the total shelf space in the establishment (4.14%).

### **EXISTING ZONING**

The subject property is zoned R-2 (Two-Family Residence) and C-3 (Unlimited Commercial).

Surrounding properties are zoned as follows:

North: R-2 (Two-Family Residence)

South: C-3-DP (Unlimited Commercial-Development Program)

East: R-2 and C-3-DP

West: R-2 and C-3-DP

### **EXISTING LAND USES**

The subject property is developed with a church, commercial and residential/commercial combination uses which will be demolished.

Surrounding properties are developed as follows:

North: Church and Residential uses

South: Commercial use

East: Commercial use

West: Commercial and Residential uses

### **PREVIOUS CASES/ZONING HISTORY**

The subject project site has contained a mix of commercial and residential/commercial combination uses for more than 20 years. Several commercial uses have been approved and located on the subject project site, including CP 93059, approved on July 22, 1993 allowing an auto body shop and market. The existing uses will be demolished for the construction of the proposed CVS store.

### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California

Environmental Quality Act (CEQA) and the County environmental guidelines. The Project involves the sale of alcoholic beverages at an approved CVS pharmacy. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

## STAFF EVALUATION

### General Plan/Community Plan Consistency

The project site is located within the CC (Community Commercial) land use category of the East Los Angeles Community Plan. This designation is intended for businesses that are basically oriented to serving the needs of surrounding neighborhood and have little regional attraction. The Project request will be located within a CVS pharmacy store, which provides goods and services to the surrounding community. The proposed CVS will be located at an intersection which is developed on all four corners with commercial uses and is easily accessible to the community and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the East Los Angeles Community Plan are applicable to the proposed project:

- *Maintain consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards.*

The Project has been designed to meet the requirements of all applicable County regulations and standards.

- *Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development.*

The Project site, which will be redeveloped for the new CVS pharmacy store, is located on a commercial corridor with neighboring retail uses. In addition, there is a transit center in close proximity to the site.

### Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.210 of the County Code, establishments in the C-3 Zone are permitted to sell alcoholic beverages for either on-site or off-site consumption, provided a conditional use permit has been obtained.

Pursuant to Section 22.56.195 of the County Code, establishments selling alcoholic beverages for either on-site or off-site consumption must comply with the following standards:

- The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius. *There is currently one church within a 600-foot radius of the subject property. The S. California Tenrikyo Church is located 486 feet northeast of the Project site. The church is situated within the residential neighborhood which buffers it sufficiently from the proposed use.*

- The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area. *Surrounding commercial uses, the proposed block walls and parking lot to serve the CVS pharmacy store will buffer the Project from the surrounding residential area.*
- The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limit to not more than five percent of the total shelf space in the establishment. *There are currently three establishments selling alcohol within 500 feet of the Project site, two with Type 21 licenses (Cesar Chavez Liquor and Superior Grocers), and one with a Type 40 (on sale beer) license (Thai Daily BBQ). The proposed sale of alcohol for off-site consumption at a retail drugstore would add a needed amenity to the neighborhood, as one does not currently exist. In order to approve additional alcohol sales the Regional Planning Commission must find that there is a public necessity for the use before the State Department of Alcohol and Beverage Control could issue another liquor license in this area. The County's Zoning Ordinance requires shelf space to be limited to five percent (5%) of the total shelf space in the establishment when such an overconcentration exists. The Project proposes 4.14% of shelf space be devoted to alcoholic beverages.*
- The requested use at the proposed location will not adversely affect the economic welfare of the nearby community. *The CVS pharmacy store expects to have between 25 and 30 employees on payroll. The typical number of employees staffed at a given time throughout the day may be between four and 12 depending on time of day, year and other factors. Most part-time employees will work between 20 and 25 hours per weeks while most full-time employees will work approximately 40 hours per week.*
- The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood. *The proposed CVS store has been designed to comply with the development standards of the County Code and East Los Angeles Community Standards District.*

#### Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 and 22.56.195 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The subject project site has contained a mix of commercial and residential/commercial combination uses for more than 20 years. Several commercial uses have been approved and located on the subject project site. There is currently one sensitive use, a church, within a 600-foot radius of the subject property. The S. California Tenrikyo Church is located 486 feet northeast of the Project site. The church is situated within the residential neighborhood which buffers it sufficiently from the proposed use.

The applicant states that the seriousness of loitering, delinquency, crime and underage drinking is recognized. In light of such issues, CVS provided information that showed, that through over 40 years of experience, CVS has developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. CVS will require all employees selling alcoholic beverages to complete its training program and execute a semi-annual acknowledgement of its alcohol sales policies. In addition CVS is open to operating conditions that the County considers necessary to ameliorate any significant concerns that exist.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

Staff received a letter from the County of Los Angeles Sheriff's Department, East Los Angeles Station, dated February 26, 2014. The letter stated that calls for service at the location of the proposed CVS were not conducted because the existing businesses will be removed for the construction of the CVS. Since the CVS is not yet operating, that information would not be useful to ascertain impacts caused by CVS. The letter also stated that currently, the policing area of unincorporated East Los Angeles consists of 7.89 square miles. It is comprised of 27 Census tracts with approximately 168 retail liquor licenses. If the business is granted a CUP, the Sheriff's Department stated that it hoped the operator of the proposed CVS would be a responsible business and not allow consumption of alcohol at their location and/or allow intoxicated individuals to congregate outside their business. The Sheriff's Department did not advocate support or opposition to the Project request.

CVS stated that it is committed to operating a retail store that allows for safe family oriented shopping. To that end, the following design elements are incorporated into the security plan: adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, a closed circuit video monitoring system, with cameras located strategically throughout the property, and careful window sign and landscaping placement to avoid obstruction of visibility into and out of the facility.

**OTHER AGENCY COMMENTS AND RECOMMENDATIONS**

Based on information from the California Department of Alcoholic Beverage Control (ABC), an undue concentration of licenses exists within the Census tract. Two (2) alcohol licenses are allowed and six (6) exist. There are currently three establishments selling alcohol within 500 feet of the Project site, two with Type 21 licenses (Cesar Chavez Liquor and Superior Grocers), and one with a Type 40 (on sale beer) license (Thai Daily BBQ). There is currently a church (S. California Tenrikyo Church) within 600 feet of the subject property. The church is located 486 feet northeast of the Project site, within the residential neighborhood. No other sensitive uses are located within 600 feet of the site.

Staff received Business and Practices Worksheets (one for each parcel) from the ABC dated November 14, 2013. The worksheets include crime reporting district and Census tract based statistics on reported criminal activity and existing alcohol licenses. According to the worksheets, the subject Project site is located in crime reporting district number 0276 where 384 offenses occurred. The average number of offenses per reporting districts was 90.9; therefore reporting district 0276 is considered a high crime reporting district. The subject property is located in Census tract number 5309.01.

#### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

#### **PUBLIC COMMENTS**

Prior to the Commission's public hearing, the Department of Regional Planning ("Regional Planning") staff received one email from an area resident expressing the need for limitations on the hours during which alcohol can be sold, and the concern that the proposed Project would reduce property values in the area.

#### **FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

#### **STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2013-01635-(1), Conditional Use Permit Number 201300133, subject to the attached conditions.

#### **SUGGESTED APPROVAL MOTION:**

**I MOVE THAT THE REGIONAL PLANNING COMMISSION, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201300133 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Michele Bush, Principal Planner, Zoning Permits East Section  
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

#### **Attachments:**

Draft Findings, Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Correspondence  
Site Photographs, Aerial Image  
Site Plan, Land Use Map

MM:mrh  
7/16/14



**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-01635-(1)  
CONDITIONAL USE PERMIT NO. 201300133**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201300133 ("CUP") on July 16, 2014.
2. The applicant, requests the CUP to authorize the sale of beer, wine and distilled spirits for off-site consumption at a proposed CVS store (approved under separate permit – RPP 201300594). The Project Site is located at 3601, 3615, 3617, 3627 Cesar E. Chavez Avenue and 420 N. Rowan Avenue in the unincorporated community of East Los Angeles ("Project Site") in the R-2 (Two-Family Residence) and C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code ("County Code") section 22.28.210.
3. The Project Site is 0.93 acres in size and consists of five legal lots tied together through a Certificate of Compliance (RCOC 201300096). The Project Site is rectangular in shape, relatively flat and is currently developed with an auto body shop, commercial/office uses, a commercial/residential combination use and a church including a parking lot.
4. The Project Site is located in the East Los Angeles Zoned District and is zoned R-2 (Two-Family Residence) and C-3 (Unlimited Commercial).
5. The Project Site is located within the CC (Community Commercial) land use category of the East Los Angeles Community Plan.
6. Surrounding Zoning within a 500-foot radius includes:  
  
North: R-2 (Two-Family Residence)  
South: C-3-DP (Unlimited Commercial-Development Program)  
East: R-2 and C-3-DP  
West: R-2 and C-3-DP
7. Surrounding land uses within a 500-foot radius include:  
  
North: Church and Residential uses  
South: Commercial use  
East: Commercial use  
West: Commercial and Residential uses
8. The subject Project Site has contained a mix of commercial and residential/commercial combination uses for more than 20 years. Several commercial uses have been approved and located on the Project Site, including CP

93059, approved on July 22, 1993 allowing an auto body shop and market. The existing uses will be demolished for the construction of the proposed CVS store.

9. The site plan for the Project depicts the Project Site with a new 14,250-square-foot CVS pharmacy structure, with required parking (57 spaces). Two driveways are depicted, one on E. Cesar Chavez Avenue and the other on N. Rowan Avenue, each to be used for both ingress and egress. An additional driveway is depicted along Dozier Street, for egress only. The site plan includes the shelf plan for the proposed sale of beer, wine and distilled spirits for off-site consumption showing 4.14 percent reserved as such. The shelf space thereby does not exceed five percent of the total shelf space in the establishment.
10. Based on information from the California Department of Alcoholic Beverage Control (ABC), an undue concentration of licenses exists within the Census tract. Two (2) alcohol licenses are allowed and six (6) exist. There are currently three establishments selling alcohol within 500 feet of the Project Site, two with Type 21 licenses (Cesar Chavez Liquor and Superior Grocers), and one with a Type 40 (on sale beer) license (Thai Daily BBQ). There is currently a church (S. California Tenrikyo Church) within 600 feet of the subject property. The church is located 486 feet northeast of the Project Site, within the residential neighborhood. No other sensitive uses are located within 600 feet of the site.

Staff received Business and Practices Worksheets (one for each parcel) from the ABC dated November 14, 2013. The worksheets include crime reporting district and Census tract based statistics on reported criminal activity and existing alcohol licenses. According to the worksheets, the subject Project Site is located in crime reporting district number 0276 where 384 offenses occurred. The average number of offenses per reporting districts was 90.9; therefore reporting district 0276 is considered a high crime reporting district. The subject property is located in Census tract number 5309.01.

The applicant states that the seriousness of loitering, delinquency, crime and underage drinking is recognized. In light of such issues, CVS provided information that showed, that through over 40 years of experience, CVS has developed stringent operational standards and training programs to teach techniques for the lawful selling of alcoholic beverages. CVS will require all employees selling alcoholic beverages to complete its training program and execute a semi-annual acknowledgement of its alcohol sales policies. In addition CVS is open to operating conditions that the County considers necessary to ameliorate any significant concerns that exist.

Staff received a letter from the County of Los Angeles Sheriff's Department, East Los Angeles Station, dated February 26, 2014. The letter stated that calls for service at the location of the proposed CVS were not conducted because the existing businesses will be removed for the construction of the CVS. Since the CVS is not yet operating, that information would not be useful to ascertain impacts caused by CVS. The letter also stated that currently, the policing area of unincorporated East Los Angeles consists of 7.89 square miles. It is comprised of 27 Census tracts with

approximately 168 retail liquor licenses. If the business is granted a CUP, the Sheriff's Department stated that it hoped the operator of the proposed CVS would be a responsible business and not allow consumption of alcohol at their location and/or allow intoxicated individuals to congregate outside their business. The Sheriff's Department did not advocate support or opposition to the Project request.

CVS stated that it is committed to operating a retail store that allows for safe family oriented shopping. To that end, the following design elements are incorporated into the security plan: adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, a closed circuit video monitoring system, with cameras located strategically throughout the property, and careful window sign and landscaping placement to avoid obstruction of visibility into and out of the facility.

11. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the sale of alcoholic beverages in an approved CVS pharmacy.
12. Prior to the Commission's public hearing, the Department of Regional Planning ("Regional Planning") staff received one email from an area resident expressing the need for limitations on the hours during which alcohol can be sold, and the concern that the proposed Project would reduce property values in the area.
13. The Commission finds that the Project is consistent with the goals and policies of the East Los Angeles Community Plan. The subject property is located within the CC (Community Commercial) land use category. This designation allows for businesses that are basically oriented to serving the needs of surrounding neighborhood and have little regional attraction. The proposed sale of alcohol for off-site consumption will be located within a CVS pharmacy store, which provides goods and services to the surrounding community. The proposed CVS will be located at an intersection which is developed on all four corners with commercial uses and is easily accessible to the community.
14. The Commission finds that the Project is consistent with the Zoning Code. Section 22.28.210 of the County Code permits the sale of alcoholic beverages for either on-site or off-site consumption in the C-3 zone, provided a conditional use permit has first been obtained.

Section 22.56.195 of the County Code requires that an applicant for a project that does not currently, but proposes to sell alcoholic beverages, for either on-site or off-site consumption must provide information sufficient to substantiate certain findings.

15. The proposed Project will be located at an intersection with other commercial property. The project will significantly improve the aesthetics and availability of

parking in the area. Accordingly, the Commission finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare.

16. The proposed Project will be located at an intersection with other commercial property. The Project has been designed with appropriate ingress and egress, adequate landscaping and parking to serve the use. The project will significantly improve the aesthetics and availability of parking in the area. Accordingly, the Commission finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. The use proposed is allowed within the C-3 (Unlimited Commercial) zone, provided that a conditional use permit is obtained, and will be a compliment to the surrounding community.
17. The Project Site is located on a commercial corridor with neighboring retail uses. In addition, there is a transit center in close proximity to the site. Accordingly, the Commission finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required.
18. There is currently one church within a 600-foot radius of the subject property. The S. California Tenrikyo Church is located 486 feet northeast of the Project Site. The church is situated within the residential neighborhood which buffers it sufficiently from the proposed use. The sale of alcohol will only account for a small percentage of the proposed tenant's sales, as such no uses will be adversely impacted by the sale of a limited supply of alcohol at this location. Accordingly, the Commission finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
19. The Project Site includes existing residential uses to the north and east of the property. The Project proposes a six-foot-high masonry wall and a six-foot-wide landscape buffer along the property lines adjacent to the existing residences. The proposed building will also be located along the eastern most property line and will buffer the adjacent property (zoned C-3 but occupied by residential units) from commercial activities on-site. Accordingly, the Commission finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
20. There are currently three establishments selling alcohol within 500 feet of the Project Site. The proposed sale of alcohol for off-site consumption at a retail drugstore would add a needed amenity to the neighborhood, as one does not currently exist. The County's Zoning Ordinance requires shelf space to be limited to five percent of the total shelf space in the establishment when such an overconcentration exists.

The Project proposes 4.14 percent of shelf space be devoted to alcoholic beverages. Accordingly, the Commission finds that the requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limit to not more than five percent of the total shelf space in the establishment.

21. The proposed project is expected to be an asset to the community. There is currently a demand in this area for the products sold by the proposed tenant including pharmaceuticals, health and beauty items, vitamin and household goods. While alcohol sales will comprise a small percentage of the tenant's overall sales, it is imperative to their success to be able to offer customers a variety of products including alcoholic beverages. Accordingly, the Commission finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
22. The proposed Project will be constructed of industry standard materials and will be consistent with other commercial developments in the area. The building will consist of primarily a stucco finish with CMU block pilasters and wainscoting. Accordingly, the Commission finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
23. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the conditional use permit to 20 years.
24. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Anthony Quinn Library located in the vicinity of East Los Angeles community. On June 10, 2014, a total of 101 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the East Los Angeles Zoned District and to any additional interested parties.
25. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such

documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption; the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15302 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit 201300133, subject to the attached conditions.

**ACTION DATE: JULY 16, 2014**

**VOTE:**

Concurring:

Dissenting:

Abstaining:

Absent:

MM:mrb  
07/16/14

c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-01635-(1)  
CONDITIONAL USE PERMIT NO. 201300133**

**PROJECT DESCRIPTION**

The project is a request to authorize the sale of beer, wine and distilled spirits for off-site consumption at a proposed CVS store (approved under separate permit – RPP 201300594) subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.



If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on July 16, 2034.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate

Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for ten (10) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification

of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **September 14, 2014**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PERMIT SPECIFIC CONDITIONS

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
21. The consumption of alcoholic beverages shall be prohibited on the subject property, including interior and exterior locations. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the property.
22. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program, or other similar program, provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
23. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.

24. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
25. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
26. This grant authorizes the sale of alcoholic beverages from 9:00a.m. to 10:00p.m., during all days of operation.
27. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
28. No display of alcoholic beverages shall be made from a tub or other container containing ice.
29. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises.
30. Shelf space for display of alcoholic beverages shall never exceed five percent of the store's shelf space.
31. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines.
32. Employees on duty after 10:00 pm shall be at least 21 years of age.
33. The beer in containers of 16 ounces or less shall not be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities. The permittee shall post signs on the coolers and cashier station stating the selling of single containers of beer is prohibited.
34. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
35. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanent affixed cooler.
36. No malt liquors and/or malt based products with alcoholic content greater than five percent by volume shall be sold.

37. The permittee shall provide adequate lighting to the satisfaction of the Director above all entrances and exits to the premises.
38. The permittee shall provide adequate lighting to the satisfaction of the Director in all parking areas and walkways under control of the permittee.

**PROJECT SITE SPECIFIC CONDITIONS**

39. This grant shall authorize the sale of beer, wine and distilled spirits for off-site consumption.
40. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.
41. The permittee shall maintain a closed circuit video monitoring system, with cameras located strategically throughout the property.
42. Landscaping on the property shall be placed as not to avoid obstruction of visibility into and out of the facility.
43. The permittee shall hire a security guard for the premises and the security guard shall be required to be on the premises during all hours of operation.

MM:mrb  
7/16/14



Los Angeles County  
Department of Regional Planning  
*Planning for the Challenges Ahead*



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

**A. That the requested use at the location will not:**

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project will be located AT AN  
INTERSECTION WITH OTHER Commercial PROPERTY.  
The project will significantly improve the  
Aesthetics and available parking in the Area

**B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.**

The use proposed is allowed By existing  
Zoning and will be a complement to  
The surrounding community.

**C. That the proposed site is adequately served:**

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

This site is located ON a commercial  
corridor with neighboring Retail uses. IN  
addition, there is a TRANSIT CENTER  
in close proximity.



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



## ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:  
(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): 21 (e.g. Type 20, Type 41)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

The proposed project will be located at an intersection with other commercial property. Furthermore, the sale of alcohol will only account for a small percentage of the proposed tenant's sales. as such, no uses will be adversely impacted by the sale of a limited supply of alcohol at this location

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

The subject site includes existing residential to the north and east of the property. The project proposes a 6 foot high masonry wall and a 6 foot wide landscape buffer along the property lines adjacent to the existing residences. the proposed building will also be located along the eastern most property line and will buffer the adjacent property (zoned c-3 but occupied by residential units) from commercial activities on-site.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

The proposed tenant will sell a variety of other products in addition to alcohol; offering customers a convenient, one-stop shopping experience. there are no other uses within the census tract that offer similar goods and services; therefore, the project will not result in an undue concentration of liquor licences.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The proposed project will be an asset to the community for years to come. there is currently a demand in this area for the products sold by the proposed tenant including pharmaeuticals, health & beauty items, vitamin and household goods. while alcohol sales will comprise a small percentage of the tenant's overall sales; it imperative to their success to be able offer customers a variety of products including alcoholic beverages.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The proposed project will be constructed of industry standard materials and will be consistent with other commercial developments in the area. the building will consist of primarily a stucco finish with cmu block pilasters and wainscoting.

Department of Alcoholic Beverage Control  
Monrovia District Office  
222 East Huntington Drive, Suite 114  
Monrovia, CA 91016  
Phone: 626-256-3241  
Fax: 626-357-4173

State of California



## FAX TRANSMISSION

Total Number of Pages 56 (Including this cover sheet)

Original: ☐ To follow by regular mail ☒ Will not follow

To: Michelle Bush

Firm/Office: LAC Planning

Fax: 213-626-0434 Date: 11/14/13 Time:

cc(s):

From: Gina GAMEZ Phone: 626-256-3241

Subject:

Comments:

### NOTICE

This communication is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address.



"Be Energy Efficient"

ABC-75 (2/07)



23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

3601 E Cesar E Chavez Ave

LA 90063 -2216 (att)

LICENSE TYPE: 21

1. CRIME REPORTING DISTRICT

.. Jurisdiction unable to provide statistical data.

Reporting District: 0226

Total number of reporting districts: 553

Total number of offenses: 50,259

Average number of offenses per district: 90.9

120% of average number of offenses: 109.1

Total offenses in district: 384

Location is within a high crime reporting district: Yes/No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 5309.01

Population: 4,080 /County Ratio 1: 1,528

Number of licenses allowed: 2

Number of existing licenses: 6

Undue concentration exists: Yes/No

Letter of public convenience or necessity required: Governing Body / Applicant.

Three time publication required: Yes/No

11/14/13  
Person Taking Application

Investigator

Supervisor

Over

23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

3615 E CESAR E CHAVEZ AVE  
LA 90063-2216 (ALT)

LICENSE TYPE: 21

1. CRIME REPORTING DISTRICT

\_\_\_\_\_ Jurisdiction unable to provide statistical data.

Reporting District: 0276

Total number of reporting districts: 553

Total number of offenses: 57,259

Average number of offenses per district: 92.9

120% of average number of offenses: 109.1

Total offenses in district: 384

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 5309.01

Population: 4,080 / County Ratio 1: 1,528

Number of licenses allowed: 2

Number of existing licenses: 6

Undue concentration exists: Yes / No

Letter of public convenience or necessity required: Governing Body / Applicant.

Three time publication required: Yes / No

11/14/17  
Person Taking Application

Investigator

Supervisor

Over

23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

3617 E CESAR E CHAVEZ AVE  
LA 90063-2216 (OUT)

LICENSE TYPE: 21

1. CRIME REPORTING DISTRICT

\_\_\_\_\_ Jurisdiction unable to provide statistical data.

Reporting District: 0276

Total number of reporting districts: 553

Total number of offenses: 50,259

Average number of offenses per district: 90.9

120% of average number of offenses: 109.1

Total offenses in district: 384

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 5309-01

Population: 4,080 / County Ratio 1: 1,528

Number of licenses allowed: 2

Number of existing licenses: 6

Undue concentration exists: Yes / No

Letter of public convenience or necessity required: Governing Body / Applicant.

Three time publication required: Yes / No

11/14/13  
Person Taking Application

Investigator

Supervisor

Over

23958.4 B & P APPLICATION WORK SHEET

PREMISES ADDRESS:

3627 E CESAR E CHAVEZ AVE  
LA 90063-2216 (OUT)

LICENSE TYPE: 21

1. CRIME REPORTING DISTRICT

\_\_\_\_\_ Jurisdiction unable to provide statistical data.

Reporting District: 0276

Total number of reporting districts: 553

Total number of offenses: 50,259

Average number of offenses per district: 90.9

120% of average number of offenses: 109.1

Total offenses in district: 384

Location is within a high crime reporting district: Yes / No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 5309.01

Population: 4,080 / County Ratio 1 : 1,528

Number of licenses allowed: 2

Number of existing licenses: 6

Undue concentration exists: Yes / No

Letter of public convenience or necessity required: Governing Body / Applicant.

Three time publication required: Yes / No

11/4/13  
Person Taking Application

Investigator

Supervisor

Over

## 23958.4 B &amp; P APPLICATION WORK SHEET

PREMISES ADDRESS:

420 N ROWAN AVELA 90063-2232 (Att)LICENSE TYPE: 21

## 1. CRIME REPORTING DISTRICT

         Jurisdiction unable to provide statistical data.Reporting District: 0275Total number of reporting districts: 553Total number of offenses: 50,259Average number of offenses per district: 90.9120% of average number of offenses: 109.1Total offenses in district: 362Location is within a high crime reporting district: Yes / No

## 2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 5309.01Population: 4,080 / County Ratio 1:1,528Number of licenses allowed: 2Number of existing licenses: 6Undue concentration exists: Yes / No.Letter of public convenience or necessity required: Governing Body / Applicant.Three time publication required: Yes / No11/14/13  
Person Taking Application

Investigator

Supervisor

Over



*John L. Scott, Sheriff*

*County of Los Angeles*  
**Sheriff's Department Headquarters**

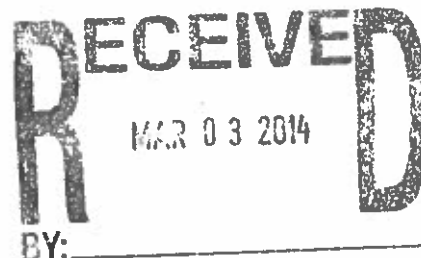
*4700 Ramona Boulevard  
Monterey Park, California 91754-2169*



(323) 264-4151

February 26, 2014

Michele Bush  
Los Angeles County Department of Regional Planning  
320 West Temple Street, 13<sup>th</sup> floor  
Los Angeles, CA 90012



Re: Conditional Use Permit Application for the Sales of Alcoholic Beverages  
Project #R2013-01635-(1)  
CUP Permit #201300133  
"CVS"  
3601, 3615, 3617, 3627 Cesar E. Chavez Avenue & 420 N. Rowan Avenue, Los Angeles  
CA 90022

Dear Ms. Bush:

It is my understanding a proposed "CVS" has applied for a Conditional Use Permit for the sale of alcohol located at the above addresses. While I am not advocating my support or opposition to their request for such a permit, it is my responsibility to provide the necessary factual information for those who will make that decision.

The locations are currently open businesses which I am assuming will be removed and the proposed CVS will be constructed. My staff DID NOT conduct calls for service at these locations due to the fact they will be removed.

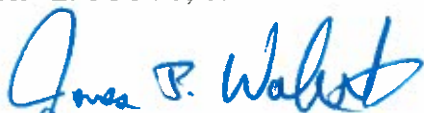
Currently, the policing area of unincorporated East Los Angeles consists of 7.89 square miles. It is comprised of twenty-seven census tracts with approximately one hundred sixty-eight retail liquor licenses.

If the business is granted a C.U.P., we would hope they would be a responsible business and do not allow excessive consumption of alcohol at their location and/or allow "drunks" to congregate outside their business.

If you have any questions or wish to discuss this matter further, you may contact me, Lieutenant Arellano or Deputy Scott S. Hennessy, at East Los Angeles Station, at (323) 264-4151.

Sincerely,

JOHN L. SCOTT, SHERIFF

A handwritten signature in blue ink, reading "James P. Wolak". The signature is fluid and cursive, with the first name "James" and last name "Wolak" clearly legible, and "P." as a small initial in the middle.

James P. Wolak, Captain  
East Los Angeles Station

## Michele Bush

---

**From:** alex [Indiana6th@yahoo.com]  
**Sent:** Friday, June 13, 2014 4:39 PM  
**To:** Michele Bush  
**Subject:** R2013-01635-(1) Conditional Use Permit 201300133

Dear Michelle,

I presume that in the normal course of public administration, CVS would not be allowed to sell alcoholic beverages for 24 hours a day. I believe it is in the best interest of the community to uphold CVS to the standard limitations on sale of alcoholic beverages. Please do not approve this extension.

I can site several reasons to reject this proposal, but one deeply concerns me. If allowed to sell alcohol for a 24 hour period, you will be combining the inebriated with the sick and elderly, which may prove to be a very bad combination. Although the customers are not allowed to drink on site, there will be a great many who will be picking up alcoholic beverages after they have drunk beyond the legal limit. Of course, many of us have experience the need to pick up medicine late in the night to address a fever, sudden illness, or lack of medicine. Accordingly, we can expect the drunk to be crossing paths with the sick

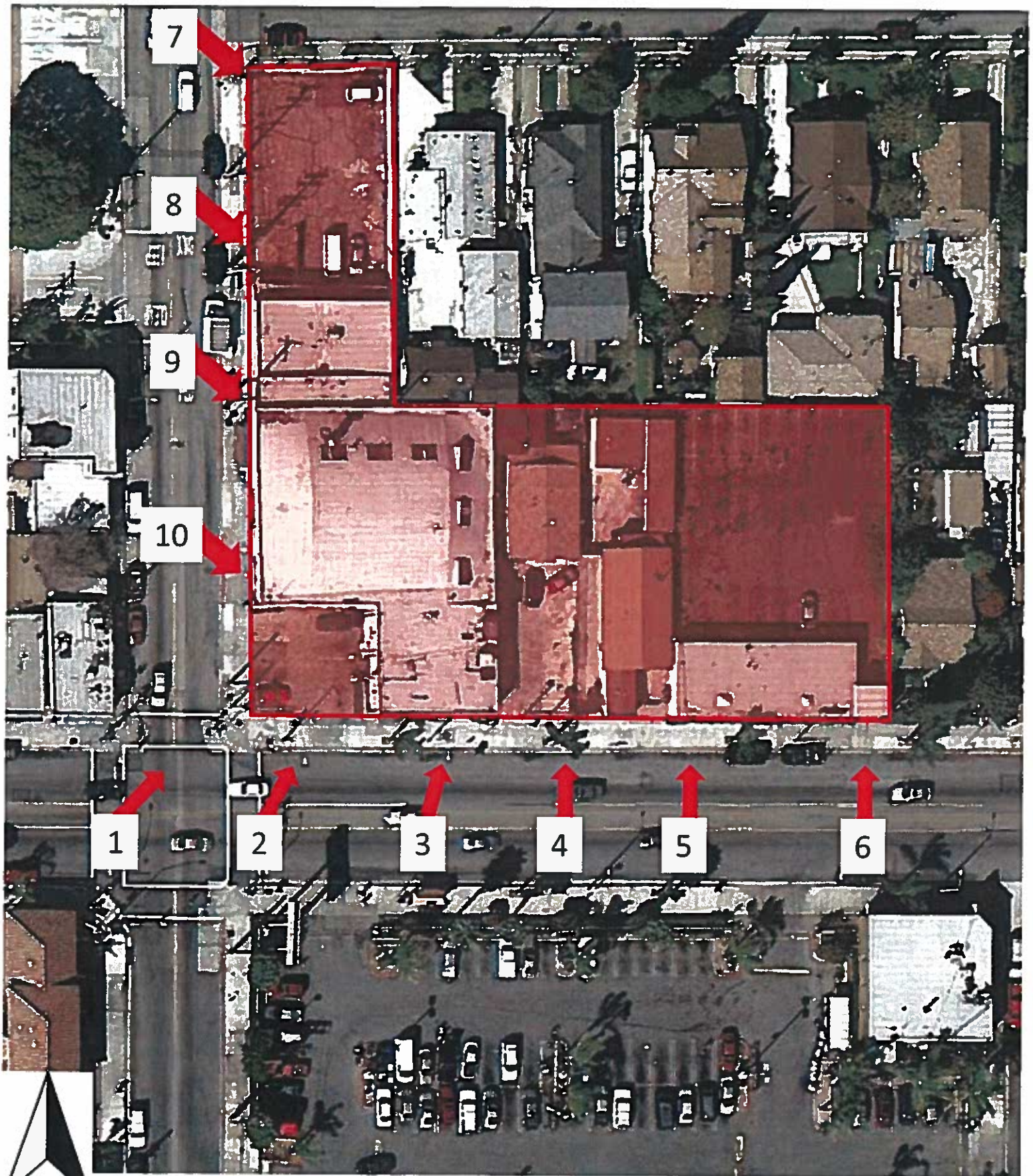
In addition to siting my main concern among many, I would appreciate your determining why the rule was put in place in the first place. What is different, if anything, about this case? If there is not a discernible difference from the norm, we should not permit a company or individual to simply apply to have the rule removed. A strong case needs to be made that the rule does not apply because of some unique circumstance. In my opinion, the unique circumstance can not be to increase sales of alcoholic beverages.

A final point, this permit will likely reduce property values, which will in turn reduce property taxes. The reduced property taxes, if this approach is broadly applied, would reduce the funds available to fund the salaries and related expenditures to support our public services.

Sincerely,  
Alex  
Local Property Owner &  
on behalf of residents



# 3601 – 3627 Cesar E. Chavez Ave. - Photograph Locations



Property Boundary

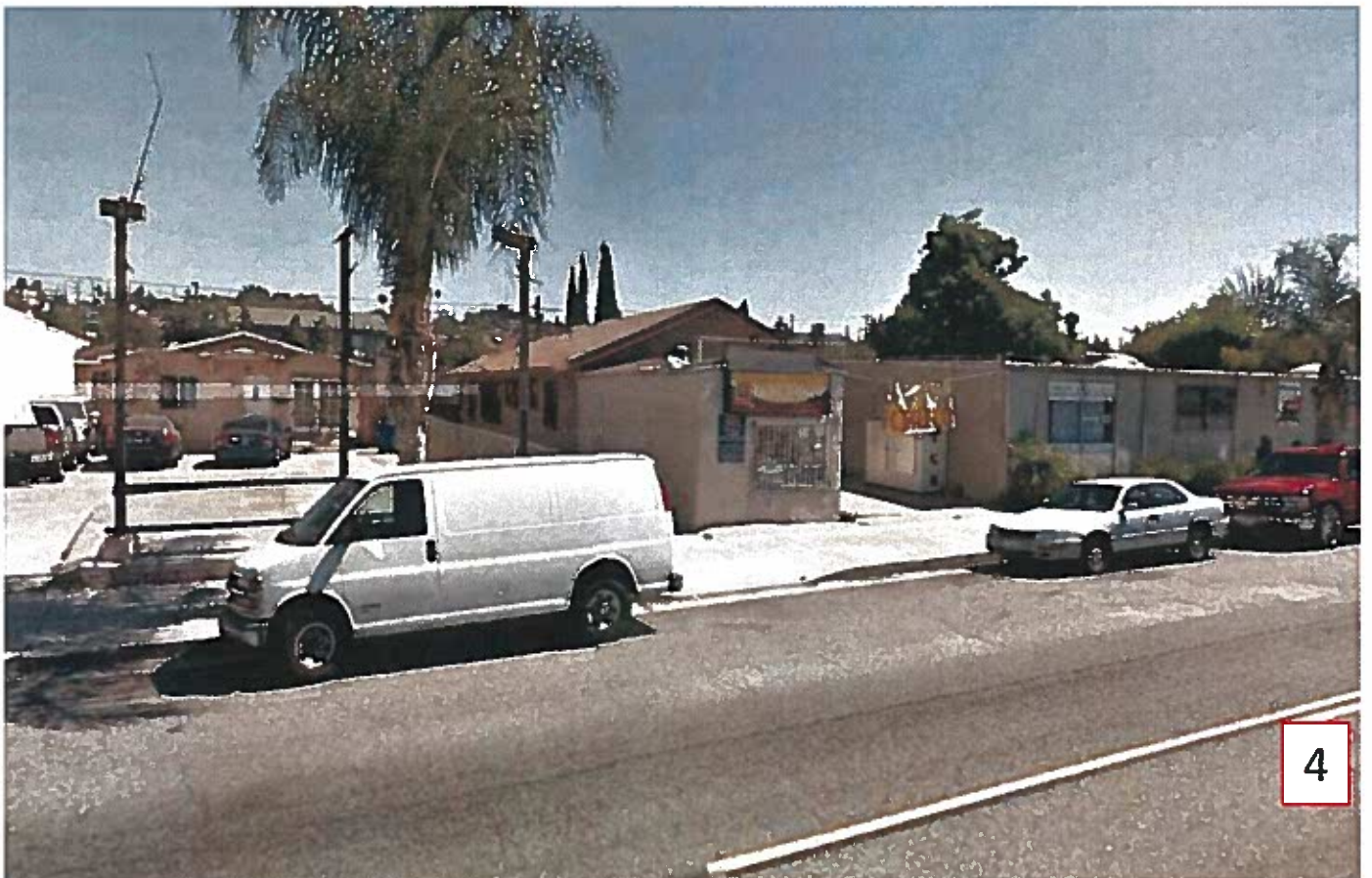


Photograph Legend

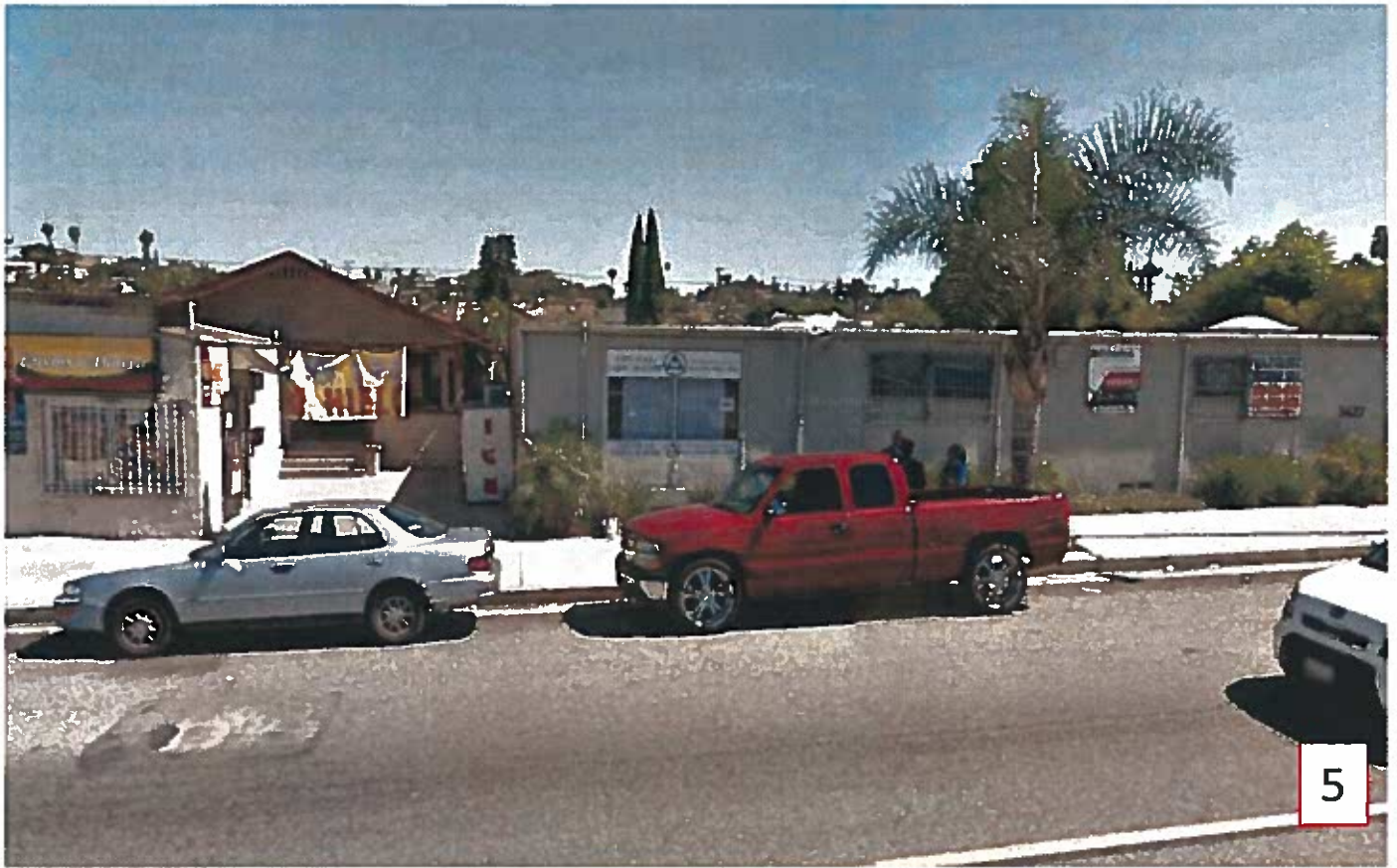








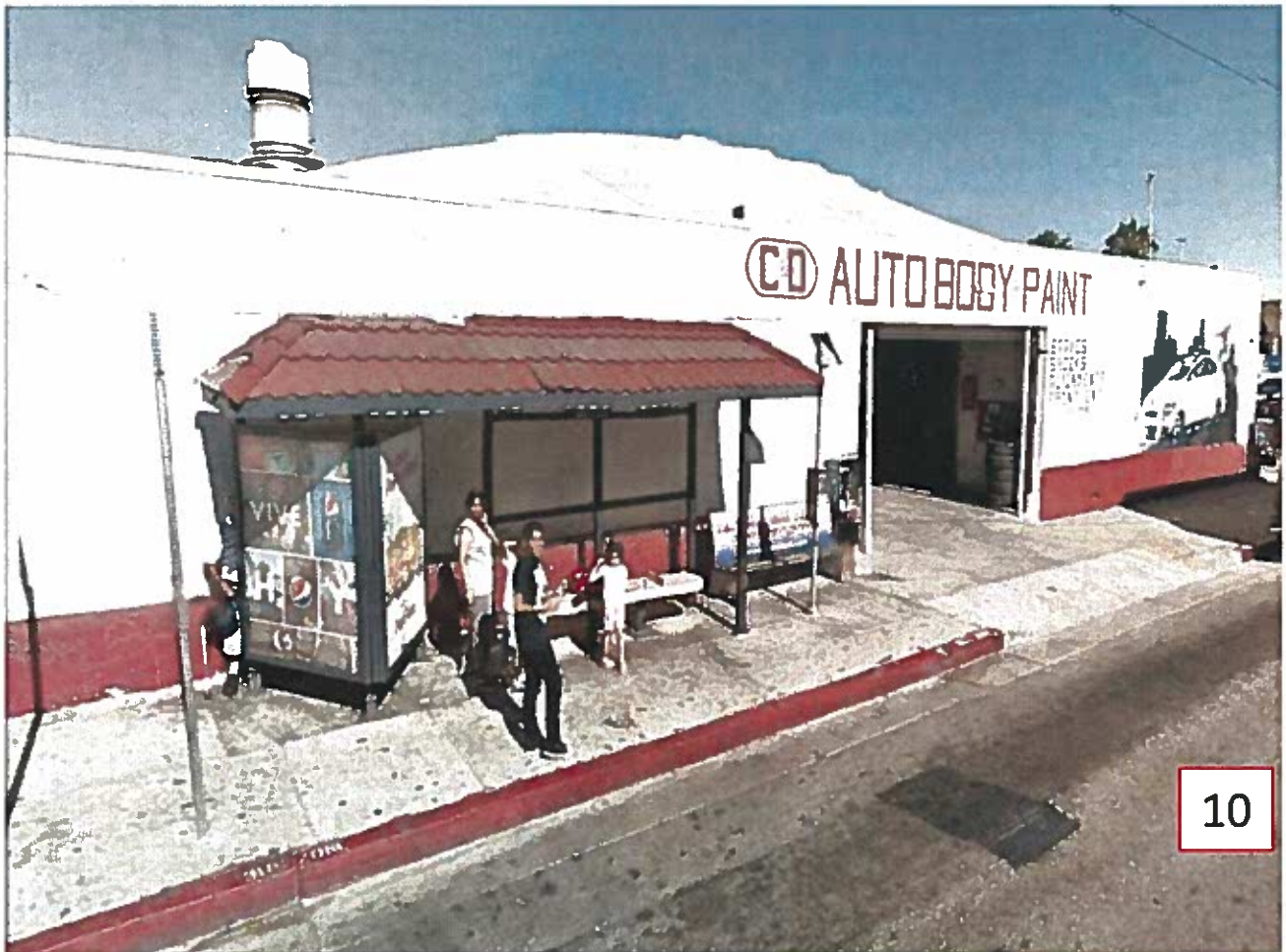






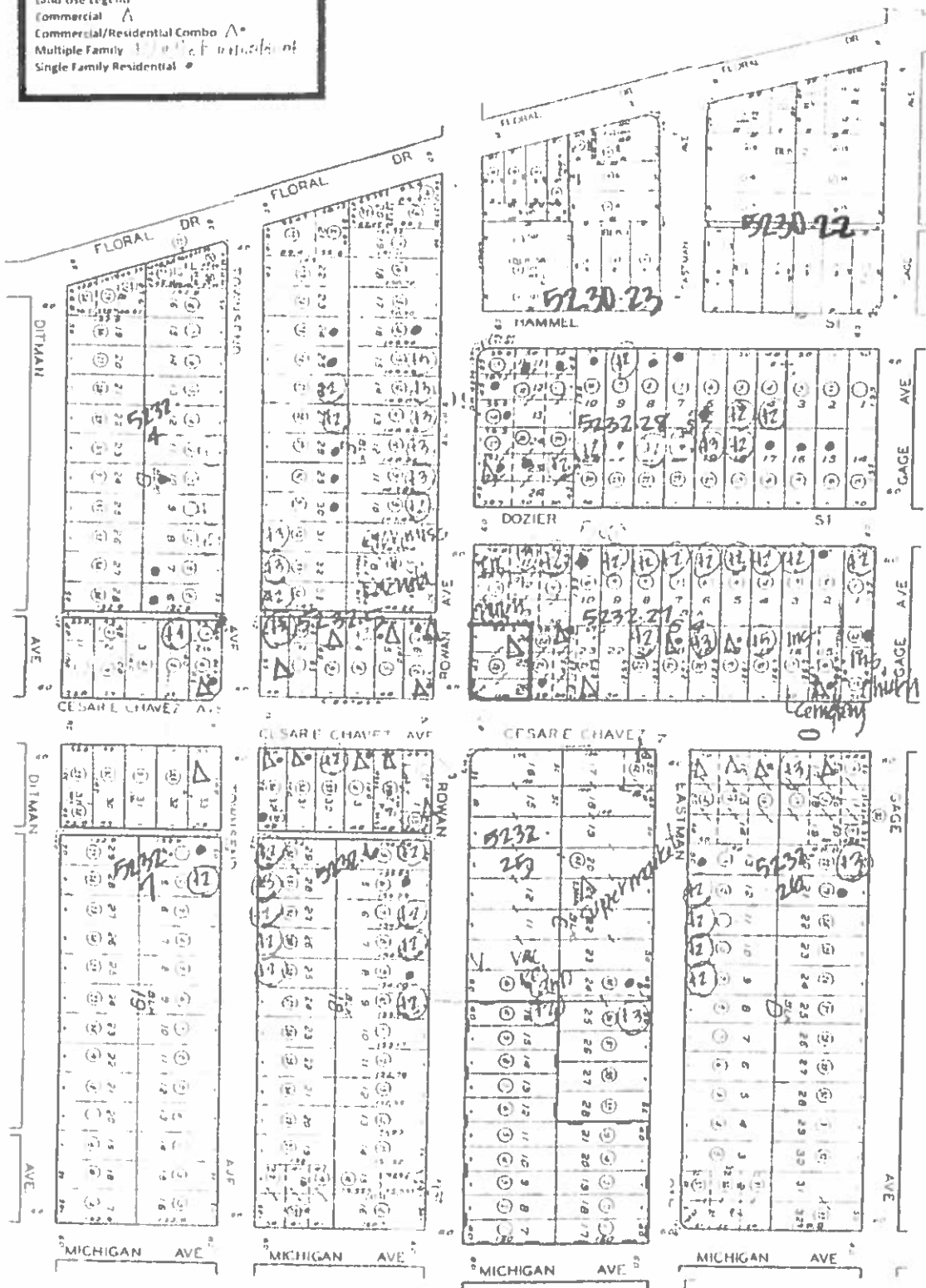






File # 139150  
 CVS Pharmacy #10504  
 1 Cesar Chavez & N Rowan  
 500' Land Use Map  
 APN(s) 5237 027 026  
 September 13 2013

Land Use Legend  
 Commercial  $\Delta$   
 Commercial/Residential Combo  $\Delta^*$   
 Multiple Family  $\circ$   
 Single Family Residential  $\bullet$



Map Preparer:  
 SUSAN W. CASE, INC.  
 917 GLENNEYRE ST #7  
 LAGUNA BEACH CA 92651  
 949 494 6105

APPROVED BY: [Signature]